

Chapter 2 Appendix A: Hawaii State Mitigation Forum Bylaws

BYLAWS OF THE HAWAII STATE MITIGATION FORUM

ARTICLE I - NAME

- I-1. The name of this organization is the Hawaii State Mitigation Forum (HSMF).

ARTICLE II - PURPOSE

- II-1. The HSMF shall:
- a. Develop a unified management strategy with recommendations concerning State, Federal, or county mitigation responsibilities and programs.
 - b. Identify vulnerabilities to various natural hazards and evaluate and prioritize measures to mitigate the risks associated with the hazards.
 - c. Assist State and county governments in obtaining funds to implement mitigation projects.
 - d. Develop specific goals on a biennial basis and provide status reports to State departments, county governments, and private organizations represented on this Forum.
 - e. Recommend policy and program changes to Federal, State, and county agencies which are involved in mitigation activities.
 - f. Develop a comprehensive public awareness program on the activities of the Forum, highlighting successful mitigation projects.
 - g. Provide reports, as appropriate, to the Governor and Legislature on special mitigation activities addressed or completed by the Forum.

ARTICLE III - DEFINITIONS

- III-1. For the purpose of these Bylaws, the following definitions are derived from statutory documents which have been accepted as functional by all levels of government involved in emergency management activities or operations:
- a. Hazard Mitigation: Any action taken to reduce or permanently eliminate the long-term risk to human life and property loss or damage from natural hazards.
 - b. Hazard Mitigation Grant Program (HMGP): An ongoing program involving a coordinated effort of State and county agencies and private organizations to reduce risks to people and property from natural hazards. During and after periods of Presidential declared disasters, the Stafford Act makes available Federal funds up to 15 percent of the estimated aggregate amount of grants for emergencies and permanent repairs with respect to a Federally declared disaster. The Federal government may contribute up to 75 percent of any cost-effective measure to be implemented while State and county governments and private nonprofit organizations must contribute the remaining 25 percent in this cost-sharing relationship.
 - c. Major Disaster: Any natural catastrophe (including hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mud slide, flood, or drought), or, regardless of cause, any fire or explosion which, in the determination of the President, causes damage of sufficient severity and magnitude to warrant major disaster assistance under the Stafford Act to supplement the efforts and available resources of State and county governments and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.
 - d. Measure/Project: Any activity proposed to reduce risk of future damage, hardship, loss, or suffering from major disasters. The terms (measure and project) are used interchangeably in Federal regulations.
 - e. Stafford Act: Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, signed into law on November 23, 1988, amended the Disaster Relief Act of 1974, PL 93-288.
 - f. State Hazard Mitigation Office: The office designated by the Governor to coordinate and monitor all State hazard mitigation programs. For the State of Hawaii, this responsibility has been placed in the State Civil Defense Division of the Department of Defense.

ARTICLE IV - MEMBERSHIP

- IV-1. Members of the Mitigation Forum shall serve two-year terms, subject to reappointment.
- a. At the last meeting of each calendar year, Forum members shall first, vote on the number of members to compose the Forum for the succeeding year, and second, vote on recommendation of members for the succeeding year's term, taking into account the advantage of both replacement and continued service.
 - b. Voting shall be done by secret ballot only. Each Forum member shall vote for each of the available vacancies; multiple votes for a single nominee shall not be made.
 - c. Nominees receiving a majority of votes shall be declared recommended, except, if the number of nominees receiving a majority of votes exceeds the established number, those nominees with the highest number of votes shall be declared recommended.
- IV-2. The Forum shall be composed of a minimum of 11 members and a maximum of 17 members. Ad Hoc members will be determined by the Forum members.
- IV-3. If a vacancy should occur, the remaining members may recommend a replacement to fill the vacancy. The appointment shall be made as soon as possible but not more than three months from the vacancy. The appointee shall complete the term of the individual whose position was vacated.
- IV-4. A Forum member shall be a person with experience and interest in mitigation activities such as, but limited to, the following areas of expertise: Environmental Studies/Protection, Risk Analysis, Hazard Analysis, Public Awareness, Education, Emergency Management, Structural Engineering, Seismology, Geology, Public Works, Public Utilities, Insurance, Planning, Flood Control, Land Utilization, Waste Management, Sheltering, Energy, Construction, Communications, Building Codes, Architecture, and Coastal Zone Management. A member may be selected from governmental agencies, the private sector, and the public at large, if one of the above qualifications is met. Each county government will be insured of having at least one member.
- IV-5. The opinions of Forum members need not represent the views of other organizations in which they have membership.
- IV-6. Any member who has more than two absences from scheduled meetings per year without valid cause may be requested by the Forum to forfeit membership.

ARTICLE V - OFFICERS

- V-1. The Forum shall elect a Chairperson and Vice Chairperson from among its members. The Executive Assistant(s) will be appointed from the State Civil Defense Division.
- V-2. The duties of the Chairperson shall be:
- a. Preside at all meetings of the Forum;
 - b. Call for approval of the minutes of the preceding meeting when a quorum shall be present;
 - c. Announce the business before the Forum;
 - d. Receive and submit all matters properly brought before the Forum to call for votes upon the same, and to announce the results;
 - e. Appoint members to all committees, subject to appeal by a majority of Forum members;
 - f. Authenticate, by signature, all acts of the Forum as may be required;
 - g. Make known all rules of orders when so requested and to decide all questions of order, subject to appeal to the Forum;
 - h. Act as spokesperson for the Forum;
 - i. Perform other duties as may be required of such office.
- V-3. The duties of the Vice Chairperson shall be:
- a. Act as the presiding officer in the absence or disability of the Chairperson;
 - b. Perform any special duties assigned by the Chairperson;
 - c. In case of resignation or incapacitation of the Chairperson, the Vice Chairperson shall become Chairperson for the unexpired part of the term.
- V-4. The duties of the Executive Assistant shall be:
- a. Keep accurate and current records of each meeting of the Forum, noting all actions taken, whether carried or lost;

- b. Call the meeting to order in the absence of the Chairperson and Vice Chairperson and proceed with the election of a temporary Chairperson;
- c. Prepare and disseminate correspondence as directed;
- d. Send out all notices of meetings;
- e. Keep an account of receipts and expenditures.

ARTICLE VI - MEETINGS

- VI-1. Two-thirds of the entire Forum membership shall constitute a quorum.
- VI-2. The affirmative vote of the majority of the entire Forum membership shall be necessary to take any action. Proxy votes shall not be allowed.
- VI-3. Regular meetings of the Forum shall be held three times per year. The Forum may also convene special meetings at any other times deemed appropriate.
- VI-4. Special meetings may be called by the officers of the Forum.
- VI-5. Any Forum member may request a matter be placed on the agenda by notifying the Executive Assistant 15 days before the date of a meeting.
- VI-6. The Forum requests prior notification of dissenting opinions when such opinions are made public. The Forum shall not prohibit the expression of dissenting opinions.
- VI-7. The Forum shall be notified of any solicitation of outside party review of Forum work. The reviewer shall be notified.
- VI-8. Minutes of all meetings will be prepared by the Executive Assistant and disseminated to all members prior to the next scheduled meeting.

ARTICLE VII - COMMITTEES

- VII-1. The Forum should utilize the work of established committees, boards, councils, etc., which are involved in mitigation affairs such as the Hawaii State Earthquake Advisory Board to facilitate its own actions and to maximize available resources and expertise.

VII-2. The Forum may establish special committees whose members are appointed by the Chairman.

ARTICLE VIII

PETITION FOR ADOPTION, AMENDMENT, OR REPEAL OF BYLAWS

- VIII-1. Any Forum member may petition the Forum requesting adoption of amendment or repeal of any articles of the Bylaws. No action will be taken until the subsequent meeting of the Forum.
- VIII-2. Bylaws may be adopted, amended, or repealed by the vote in person of two-thirds of the membership of the Forum.

ARTICLE IX - PARLIAMENTARY AUTHORITY

- IX-1. Robert's Rules of Order, revised, shall govern the Forum where the same are not inconsistent with these Bylaws.

ARTICLE X - VALIDITY

- X-1. If any section or part of the rules is held to be invalid for any reasons whatsoever, such invalidity shall not affect the validity of the remaining sections of the Bylaws.

ARTICLE XI - EFFECTIVE DATE OF THESE RULES

- XI-1. These Bylaws shall become effective upon approval of the Director of Civil Defense and filing with the State Civil Defense Division.